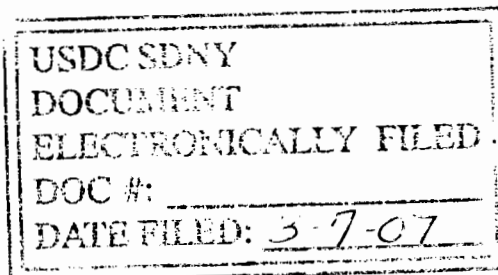


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	:	
JOHN DOE,	:	
	:	
Plaintiff,	:	
	:	05 Civ. 3388 (JSR)
-v-	:	
	:	<u>ORDER</u>
HEALTH ADMINISTRATOR JORGE TORRES,	:	
DR. M. GLOVER, DR. PRADIP M. PATEL,	:	
DR. KAHANOWICZ, and PHYSICIAN	:	
ASSISTANT PATEL, and the UNITED	:	
STATES OF AMERICA,	:	
	:	
Defendant	:	
-----X	:	

JED S. RAKOFF, U.S.D.J.



On December 8, 2006, the Honorable Gabriel W. Gorenstein, United States Magistrate Judge, issued a detailed Report and Recommendation in the above-captioned matter recommending that plaintiff's motion under Fed. R. Civ. P. 56 for summary judgment be denied and defendant's cross-motion for summary judgment be granted because plaintiff had failed to provide any evidence from which a reasonable juror could conclude that plaintiff had been the victim of medical malpractice. Plaintiff timely filed objections.

Having therefore reviewed the record and the issues de novo, and having considered plaintiff's objections,¹ the Court hereby

¹ In his objections, plaintiff asserts that the Report and Recommendation should be rejected because it failed to consider two documents that plaintiff asserts were submitted to the Court as part of the papers supporting plaintiff's own motion for summary judgment. Plaintiff attaches copies of these two documents to his objections. Plaintiff's objection on this point is rejected because the Report and Recommendation in fact

adopts the Report and Recommendation and, for the reasons stated therein, dismisses the plaintiff's complaint in its entirety with prejudice. The Clerk is directed to enter final judgment.

SO ORDERED.


JED S. RAKOFF, U.S.D.J.

Dated: New York, New York
March 5, 2007

considered both of these documents. One of the documents -- "Plaintiff's Reply to Defendants' Motion for Summary Judgment," filed September 7, 2006 (Docket #38) -- is cited on page 5 of the Report and Recommendation. The other document is virtually identical in content to "Plaintiff's Memorandum in Support of Plaintiff's Motion for Summary Judgment Pursuant to FRCvP(a)," filed April 28, 2006 (included in Docket #27). This latter document is cited on pages 5 and 9 of the Report and Recommendation.